



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/334,354	06/16/1999	JUNJI TAJIME	P/2054-107	5240

7590 04/01/2005

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
1177 Avenue of the Americas
41st Floor
New York, NY 10036-2714

EXAMINER

LEE, RICHARD J

ART UNIT	PAPER NUMBER
----------	--------------

2613

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/334,354

Applicant(s)

TAJIME ET AL.

Examiner

Richard Lee

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2613

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Again, the Specification does not provide support for the newly amended limitations “a memory bus that accesses said memory; a memory access width controller that controls said quantization controller such that bit allocation is controlled in relation to a number of bits of the memory bus that accesses said memory” as shown at claim 1, lines 9-12; “in conformity with the number of bits ... of the memory bus that accesses said memory” as shown at claim 2, lines 4-7; “a memory access width controller ... compression processing exceeds the number of bits of memory bus that accesses said memory” as shown at claim 9, lines 10-19; “memory access width controller ... in conformity with the number of bits of the memory bus that accesses said memory, based on an occupied content of said memory” as shown at claim 10, lines 2-5; “the memory access width controller ... the allocated number of bits is made equal to or less than the number of bits of the memory bus that accesses said memory by subtracting a predetermined number of bits from the allocated bits of coded data of said compression processing block or by increasing the number of allocated bits by the predetermined number of bits” as shown at claim 12, lines 2-11; “controlling said number of coded bits so that said number of coded bits is in

Art Unit: 2613

conformity with the number of bits of a memory bus that accesses a memory when said detected number of coded bits exceeds the number of bits of a memory bus that accesses said memory” as shown at claim 17, lines 4-7.

As understood by the Examiner, the present invention involves a moving picture decoding apparatus for decoding compressed image data. Part of the decoding apparatus includes a memory access width control section 110 for applying control to quantizer control section 109 so that a number of coded data bits is conformed to be equal to or less than the number of bits of the memory access unit (see pages 4-5 of the Specification). The Specification, at page 5, describes how “in the case that the allocated number of bits is less than the number of bits M1 of a memory access unit, and a frame memory has enough capacity, allocation of the number of bits of the coded data can be also increased” and “the memory access width control section (110 of Fig. 1) applies control of an access width of the frame memory to the quantization control section”. The Specification, at page 8, describes how “The access width control section 110 applies control to the quantization control section 109 using information of the frame memory 106 so that the information content for a single or a plurality of memory compression processing units or for every control unit of the memory compression process is conformed to be equal to or less than the number of bits of a memory access unit.”. The Examiner has thoroughly reviewed the Specification and believes that the above cited passages from the disclosure are the most relevant description pertaining to the newly claimed limitations. But, it is clear from these passages that there is no adequate support for a memory bus and control of the number of coded bits so that the number of coded bits is in conformity with the number of bits of a memory bus that accesses a memory when the detected number of

Art Unit: 2613

coded bits exceeds the number of bits of a memory bus that accesses the memory as claimed.

Further, the Specification lacks any description of the comparison of a number of bits of a memory bus with the number of coded bits; allocation of bits control in relation to a number of bits of the memory bus; and controlling of a number of bits to be equal to or less than the number of bits of the memory bus in the case that the number of bits for every control unit of compression processing exceeds the number of bits of memory bus that accesses the memory as currently claimed.

The applicants argued at pages 8-9 of the amendment filed October 20, 2004, with reference to page 5, line 25 (et seq.) and page 12, line 17 (et seq.) of the Specification, that the term "memory bus" is equivalent to the memory access unit and is merely a more generally accepted term for the same, the term "memory access unit" is nothing more than the data bus which accesses the memory, the applicants are merely being their own lexicographer in utilizing the term "memory bus that access said memory", which is in fact, the generally accepted use of that term which and is the proper use and description of the claimed invention, and the memory access width control section takes account of a compression ratio based on an occupied ratio of the frame memory 22, and applies bit allocation control to the quantization control section 24, which is in conformity with the number of bits of a memory access unit. Though it is proper for the applicants to be their own lexicographer, such practice must be provided within the disclosure and not in the claims, as done in the present case. The Examiner has reviewed the areas of the Specification as indicated by the applicants, but it is still that no adequate support is found for a memory bus and control of the number of coded bits so that the number of coded bits is in conformity with the number of bits of a memory bus that accesses a memory when the

Art Unit: 2613

detected number of coded bits exceeds the number of bits of a memory bus that accesses the memory as claimed. And again, the Specification lacks any description of the comparison of a number of bits of a memory bus with the number of coded bits; allocation of bits control in relation to a number of bits of the memory bus; and controlling of a number of bits to be equal to or less than the number of bits of the memory bus in the case that the number of bits for every control unit of compression processing exceeds the number of bits of memory bus that accesses the memory as currently claimed.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-14 and 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Ohira et al of record (6,208,689).

The Examiner wants to point out that the claimed limitations that constitute as new matter (see above paragraph (2)) have not been considered in the following art rejections.

Ohira et al discloses a method and apparatus for digital image decoding as shown in Figures 18, 19, 24, 29, 30, 49-53, and the same moving picture decoding method and apparatus as claimed in claims 1-14 and 16-18, comprising the same compressor (i.e., 107a of Figures 18 and 24, 112a of Figure 49, see 107b of Figures 29 and 30) that compresses a decoded image and stores the resulting compressed image in a memory (i.e., 103 of Figures 18 and 49); an expander (i.e., see 108, 109 of Figure 18; 113a, 114a of Figure 49) that expands a compressed image

Art Unit: 2613

stored in the memory; a quantization controller (see Figures 18, 19, 24, 29, 30, 50-52, column 13, line 61 to column 14, line 64, column 15, line 56 to column 16, line 45, column 24, line 37 to column 25, line 12) that controls how quantization is performed in the compressor; a memory access width controller (i.e., as provided by compression rate judging section 106 of Figure 18 since compression rate judging section 106 provides the rate of compression in connection with the storage capacity, i.e. number of bits of the memory 103, and bit allocation control to the quantization controller is being provided within 107a of Figures 18, 24, 107b of Figures 29, 39, and 112a of Figures 49 and 50, see Figures 18, 24, 29, 30, 49-52, column 13, lines 16-44, column 14, lines 3-64, column 17, line 33 to column 19, line 13) that controls the quantization controller such that bit allocation is controlled in relation to the number of bits of a memory access unit of the memory, the memory access width controller controls the quantization controller such that a number of coded bits of the image processed in the compressor for every control unit of compression processing is in conformity with the number of bits of the memory access unit of the memory in the case that the coded number of bits exceeds the number of bits of the memory access unit of the memory, the memory access width controller conducts control using information included in the compressed stream, the memory access width controller applies control to the quantization controller such that when an allocated number of bits of coded data of a compression block exceeds the number of bits of the memory access unit of the memory or is less than the number of bits of the memory access unit of the memory, the allocated number of bits is made equal to or less than the number of bits of the memory access unit of the memory by subtracting a predetermined number of bits from the allocated bits of coded data of the compression processing block or by increasing the number of allocated bits by the predetermined

Art Unit: 2613

number of bits, whereby the coded data is enabled to be extracted from the memory with one access occurrence (i.e., data in the compressing section 107a of Figure 18 are compressed based upon the compression rate information 157 from the compression rate judging section 106, the compression rate judging section selects a compression mode from among a plurality of compression modes based upon the rate of compression, thereby providing the increase/decrease in the number of bits allocated and providing the rate of compression in connection with the memory, i.e. number of bits, of the memory 103, and bit allocation control to the quantization controller is being provided within 107a of Figures 18, 24, 107b of Figures 29, 39, and 112a of Figures 49 and 50, and see column 13, lines 16-44, column 14, lines 3-64, column 17, line 33 to column 19, line 13); the quantization controller controls quantization performed by the compressor based on access width information from the memory access width controller such that a number of bits processed in the compressor for every control unit of compression processing is equal to or less than the number of bits of the memory access unit of the memory in the case that the number of bits for every control unit of compression processing exceeds the number of bits of memory access unit of the memory (i.e., compression rate judging section 106 provides the rate of compression in connection with the storage capacity, i.e. number of bits of the memory 103, and the compressing section 107a or 107b which includes quantization control based on access width information compresses the data based upon the compressed rate information provided by compression rate judging section, see Figures 18, 24, 29, 30, 49-52, column 13, lines 16-44, column 14, lines 3-64, column 17, line 33 to column 19, line 13); wherein the compressor and the expander conduct compression and expansion, respectively, in accordance with a pixel difference prediction encoding system (see 107a of Figure 24, 107b of

Art Unit: 2613

Figures 29 and 30, column 4); wherein the quantization controller (see 107b of Figures 29 and 30, 703a of Figures 50 and 51) controls quantization by preparing a plurality of quantizers (i.e., 121a-d of Figures 29 and 30; 703a of Figure 51) having quantization characteristics different from each other and a plurality of quantization characteristic tables, a quantization characteristic table (see 700 of Figure 50) being shared by the plurality of quantizers; wherein the compressor and expander conduct compression and expansion, respectively, in accordance with an orthogonal translation encoding system (see column 4, column 9, lines 1-13); the compressor controls quantization characteristics used for quantizing the decoded image, based on control by the quantization controller (see Figures 29, 30, 50, 51); detecting a number of coded bits for every control unit of compression processing (i.e., 107a of Figures 18 and 24), and controlling the number of coded bits so that the number of coded bits is in conformity with the number of bits of a memory access unit of a memory (i.e., 103 of Figure 18) when the detected number of coded bits exceeds the number of bits of a memory access unit of the memory, wherein the step of controlling uses information from an external compressed data stream (see column 13, lines 16-44, column 13, line 61 to column 14, line 64, and 106 of Figure 18).

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ohira et al as applied to claims 1-14 and 16-18 in the above paragraph (4), and further in view of Nakajima et al of record (6,243,421).

Ohira et al discloses substantially the same moving picture decoding method and apparatus as above, but does not particularly disclose the compressor comprising a subtracter, a quantizer, an encoder, an inverse quantizer, an adder and a predictor, a prediction error obtained in the subtracter by subtraction operation between the decoded image and a predicted value from the predictor is supplied to the quantizer, under control of the quantization controller, the quantizer quantizes the prediction error and supplies the quantized result to the encoder and the inverse quantizer, the encoder encodes an output from the quantizer and outputs the encoded result to the memory, and inverse quantizer and local decoding are conducted in the inverse quantization, the adder and the predictor, as claimed in claim 15. However, Nakajima et al discloses an apparatus for decoding coded video data with reduced memory size as shown in Figures 2 and 3, and teaches the conventional compression means comprising a subtracter (20 of Figure 3), a quantizer (21 of Figure 3), an encoder (22 of Figure 3), an inverse quantizer (25 of Figure 3), an adder (23 of Figure 3) and a predictor (24 of Figure 3), a prediction error (i.e., output of 20 of Figure 3) obtained in the subtracter by subtraction operation between the decoded image and a predicted value from the predictor is supplied to the quantizer, under control of the quantization controller, the quantizer (i.e., 21 of Figure 3) quantizes the prediction error and supplies the quantized result to the encoder (22 of Figure 3) and the inverse quantizer (25 of Figure 3), the encoder encodes an output from the quantizer and outputs the encoded result to the memory (i.e., 6 of Figure 2), and inverse quantization and local decoding are constructed in the

Art Unit: 2613

inverse quantization, the adder, and the predictor (see Figure 3). Therefore, it would have been obvious to one of ordinary skill in the art, having the Ohira et al and Nakajima et al references in front of him/her and the general knowledge of video compression systems, would have had no difficulty in providing the compression means as shown in Figure 3 of Nakajima et al including all the components as claimed in place of the compression system 107a of Figure 18 of Ohira et al for the same well known video compression with quantization control purposes as claimed.

7. The applicants argued at pages 9-11 of the amendment filed October 20, 2004 traversing the 35 U.S.C. 102 rejection and that Ohira does not read on the claimed limitations that have been deemed new matter by the Examiner. The Examiner wants to point out again that the claimed limitations that constitute as new matter have not been considered in the above applied art rejections, and it is submitted that the remaining claimed features are however anticipated by Ohira et al for reasons as provided in the above paragraph (4).

The applicants argued at pages 11-12 of the amendment filed October 20, 2004 disagreeing that Ohira's "compression rate judging section 106 judging a rate of the decoded data 151 to be compressed and stored in the frame memory based upon the size of the image in connection with the storage capacity of the frame memory" as provided in the Office Action discloses the present invention. Though it is true that the predictive/display frame memory section 103 of Ohira et al is being assigned a predetermined storage capacity for storing image data on a frame basis (see column 13, lines 20-23), it is submitted again that Ohira et al teachings of the compression rate judging section 106 for providing the rate of compression in connection with the storage capacity, i.e., number of bits of the memory 103, and the compression sections 107a or 107b which includes quantization control based on the access width information

Art Unit: 2613

compress the data based upon the compressed rate information provided by the compression rate judging section (see Figures 18, 24, 29, 30, 49-52, column 13, lines 16-44, column 14, lines 3-64, column 17, line 33 to column 19, line 13) nevertheless reads on the quantization controller controlling quantization performed by the compressor based on access width information from the memory access width controller such that a number of bits processed in the compressor for every control unit of compression processing is equal to or less than the number of bits of the memory access unit of the memory in the case that the number of bits for every control unit of compression processing exceeds the number of bits of memory access unit of the memory, as claimed.

The applicants argued at pages 12-13 of the amendment filed October 20, 2004 concerning in general that in Ohira the compression data rate is not altered, even though the memory having a different data bus width is employ, where in the claimed invention when the memory having a different data bus is employed, the data compression rate is altered, the Examiner wants to point out again that the new matter claimed features as argued have not been considered and as such these arguments are deemed moot.

Art Unit: 2613

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Lee whose telephone number is (571) 272-7333. The Examiner can normally be reached on Monday to Friday from 8:00 a.m. to 5:30 p.m, with alternate Fridays off.


RICHARD LEE
PRIMARY EXAMINER

Richard Lee/rl

3/30/05

